IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 908 OF 2006
IN
CRIMINAL APPEAL NO. 1099 OF 2004

Sanjay Bhagwan @ Pratap Bhosale @ Pitekar.... Applicant.
(Orig.Accd.No.1)
V/s
State of Maharashtra .. .. Respondent.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

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Mr.Vikas Shirarkar with Vipin Bidkar, Adv.
For the applicant.

Dr.F.R.Shaikh, APP for the State.

CORAM:V.G. PALSHIKAR, Ag. C.J.
AND
SMT.NISHITA MHATRE, J.

13.9.2006.

PC:

This is an application for bail. The applicant is convicted under section 302 read with section 498A of Indian Penal Code to suffer imprisonment for life.

2. Along with the applicant his mother was also prosecuted. She has also been convicted and has been during the pendency of the appeal

released on bail. The contention on behalf of the applicant is that because mother is released on bail, same yard stick must apply to son also and he is also liable to be released on bail. The case of the prosecution is that the wife of the present applicant was burnt to death by the applicant and his mother. Prima facie doubting the correctness of her exact involvement bail has been granted. It is accordingly on the facts and circumstances as appreciated by this Court in relation to the mother of the present applicant. Such prima facie observations cannot have any binding effect. Apart from that there is finding of guilt operative against the applicant. We see no reason to grant him bail. Application for bail rejected.

13.9.06